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on behalf of themselves and all others similarly  
situated

*Counsel Continued on Next Page*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NICHOLAS SELBE, DANIEL  
GHYCZY, MAKAELO  
O'CONNELL, and ANNIYA LOUIS  
on behalf of themselves and others  
similarly situated,

Plaintiffs,

v.

PEAK CAMPUS MANAGEMENT,  
LLC,

Defendant.

Case No. 3:14-cv-3238-MMC

**ORDER REGARDING MOTION FOR  
PRELIMINARY APPROVAL OF  
CLASS AND COLLECTIVE ACTION  
SETTLEMENT**

*Continued From Previous Page:*

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Attorneys for Defendant  
PEAK CAMPUS MANAGEMENT, LLC

**ORDER**

Plaintiff's unopposed Motion for Preliminary Approval of Class and Collective Action Settlement ("Motion") came on regularly for hearing on December 18, 2015, at 9:00 a.m., in the United States District Court for the Northern District of California, the Honorable Maxine M. Chesney presiding. All parties were represented by counsel.

Having considered the memoranda and declarations, oral arguments of counsel, and the relevant statutory and case law, the Court GRANTS Plaintiff's Motion and orders and finds as follows:

1. The Parties' proposed Stipulated Settlement Agreement of Class Action Claims (the "Settlement") is preliminarily approved, and the Class Settlement Notice with Work Period Dispute Form for FLSA Class Members and the Class Settlement Notice with Claim Form for California Non-FLSA Class Members attached hereto as **Exhibit 1** and **Exhibit 2** are approved.

2. The following Class and Collective Action is certified for settlement purposes only pursuant to Federal Rules of Civil Procedure 23 and 29 U.S.C. § 216(b):

All persons who have submitted a "Consent to Join Collective Action" in the instant Lawsuit prior to June 1, 2015 ("Opt-In Class Members") and all individuals employed in the State of California between January 1, 2011 and August 1, 2014 who were employed in any of the following "Covered Positions": All Star; Community Advisor; Community Assistant; Leasing All-Star; Work for Rent Leasing All-Star; or any combination thereof ("California Class Members") (collectively, "Class Members").

3. Plaintiffs' attorneys, Joshua M. David of David, Kamp & Frank, L.L.C. and Eric B. Kingsley of Kingsley & Kingsley, APC are appointed Class Counsel, and Nicholas Selbe, Daniel Ghyczy, Makaela O'Connell, and Anniya Louis are appointed as the Class Representatives.

4. Simpluris is appointed as the Settlement Administrator.

5. No later than January 12, 2016, Defendant, with the input from Class Counsel contemplated in the Settlement, will provide the Class List to the Settlement Administrator.

6. On January 26, 2016, the Settlement Administrator shall send to the Class Members via United States First Class Mail and, where available, electronic mail, the Court-approved Class Settlement Notices, in the form that is attached hereto as **Exhibit 1** and **Exhibit 2**.

7. No later than February 9, 2016, Class Counsel shall file, serve, and submit for posting on the Settlement Administrator's website their motion for attorneys' fees, litigation costs, and Enhancement Awards.

8. March 25, 2016 is the deadline for Class Members to postmark and send to the Court written objections to the Settlement.

9. March 25, 2016 is also the deadline for California Non-FLSA Class Members (as defined in the Settlement) to postmark and send, as applicable, written requests for exclusion and Claim Forms to the Settlement Administrator.

10. No later than April 8, 2016 Class Counsel shall file and serve their motion for Final Approval of Class and Collective Action Settlement and the parties shall file responses to any objections.

11. The final approval hearing is set for April 29, 2016 at 9:00 a.m.

12. The settlement is deemed filed as of the date of preliminary approval for purposes of providing notice to the appropriate officials pursuant to 28 U.S.C. § 1715.

**IT IS SO ORDERED.**

Dated: December 30, 2015

  
MAXINE M. CHESNEY  
United States District Judge